

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,
Plaintiff,**

vs.

**RODNEY BROOKS,
Defendant.**

No. 10 - CR - 30011 DRH

**ORDER OF FINDING OF NO THIRD-PARTY INTERESTS
(FINAL ORDER OF FORFEITURE)**

HERNDON, Chief Judge:

On August 13, 2010, this Court entered an Order of Forfeiture against defendant Rodney Brooks for the following property which had been seized from said Defendant:

One Smith and Wesson, Model 39-2, .9mm semi-automatic pistol, bearing serial number A231218, and any and all ammunition contained therein.

Said Order further provided that the government would provide an opportunity for persons to claim a legal interest in the property pursuant to **21 U.S.C. § 853(n)(1)**.

The Court notes that notice was published by the government on an official government website, www.forfeiture.gov, for 30 consecutive days beginning October 9, 2010, and ending November 7, 2010, and that no third party filed a petition within 30 days after the last date of said publication to allege an interest in the property.

Consequently, the Court hereby finds, pursuant to **21 U.S.C. § 853(n)(7)**, that no third-party petitions were filed and that the United States of America has clear title to the above-described property that is the subject of the Order of Forfeiture filed on August 13, 2010, namely:

One Smith and Wesson, Model 39-2, .9mm semi-automatic pistol, bearing serial number A231218, and any and all ammunition contained therein.

The Bureau of Alcohol, Tobacco, Firearms and Explosives or the United States Marshal shall dispose of the property according to law. Said disposal may, at the discretion of the United States, include the destruction of the property. Said destruction may be done at such time and location and by such persons as designated by the United States Marshal or the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Signed this 26th day of January, 2011.

  David R. Herndon
2011.01.26
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**Chief Judge
United States District Court**